

EXHIBIT 5

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1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF GEORGIA
3 GAINESVILLE DIVISION
4
5

6 Santana Bryson and Joshua CIVIL ACTION
7 Bryson, as Administrators FILE NO.
8 of the Estate of C.Z.B., 2:22-CV-017-RWS
9 and as surviving parents
10 of C.Z.B., a deceased
11 minor,

12 Plaintiffs,

13 vs.

14 Rough Country, LLC,

15 Defendant.

16 REMOTE VIDEOTAPED DEPOSITION OF

17 CHRISTOPHER D. ROCHE

18 10:12 a.m.

19 February 1, 2024

20 Susan M. Pitts, CCR-B-1806, RPR

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1 compatibility, I believe that, yes, they should have
2 known.

3 So yeah, I'm okay with the language, but
4 it is characterized slightly differently from my
5 opinions that I list in my report.

6 Q. Part of this disclosure says that there
7 were safer feasible alternative designs at the time
8 and that uses the plural. In your report, by my
9 interpretation, the only feasible alternative design
10 that you discuss is the use of the SEAS brackets. Is
11 there -- and that's the only one I see in your
12 report. So is that the only alternative feasible
13 design you intend to testify about in this case or
14 are there others?

15 A. So I highlight how Rough Country could
16 have created new SEAS brackets that would have
17 maintained the safety of the vehicle despite the lift
18 kit. But you are talking about sheet metal designs,
19 so Rough Country could also have introduced a blocker
20 beam type design, if they so wished.

21 But in terms of their design and
22 manufacturing capability, modified SEAS seems to be
23 the most logical and possibly the most cost effective
24 solution.

25 Q. So modified SEAS are just two brackets

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1 that bolt into the PEAS of the vehicle, right?

2 That's what we are talking about?

3 A. We are talking about two brackets bolted
4 to the frame rails of the truck, yes.

5 Q. And so you've now introduced a second
6 alternative design, which is not described in your
7 report, which would be a blocker beam, which, as I
8 understand, would be a piece that would go across the
9 entire front of the PEAS, just at a lower elevation.
10 Is that a fair statement?

11 A. Well, there are many SEAS designs out
12 there. And they could have taken inspiration from
13 any number of SEAS designs. But what I focused on in
14 my report is a modified design that the truck came
15 with.

16 Q. Is there any option other than, as you
17 describe, the various SEAS options that would be an
18 alternative design?

19 A. I'm sorry. I don't understand that
20 question. Can you repeat it, please?

21 Q. Sure. So if I understand your testimony,
22 an alternative design would be to include with the
23 lift kit a SEAS device of some type. And you said
24 there is multiple options under that SEAS category.
25 Is that a fair characterization of your testimony?

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1 Could you imagine, could you engineer, could you
2 think of other alternative designs? Yes, of course,
3 because you just look at the marketplace with the
4 array of different SEAS brackets that exist on trucks
5 over the last 20, 25 years. So to your point about
6 more than one option, that's what I'm interpreting
7 that as.

8 Q. And what I'm trying to get to beyond that
9 is outside of a different SEAS device, are there any
10 other alternative designs that you would opine that
11 Rough Country should have used in order to eliminate
12 the, quote/unquote, hazardous condition as you've
13 described it?

14 MS. CANNELLA: Objection, asked and
15 answered.

16 THE WITNESS: So I am proposing one
17 alternative design option here that I've spent
18 time thinking about and that's what I've listed
19 in my report.

20 Q. (By Mr. Hill) It's a simple question.
21 Are there alternatives other than a SEAS device that
22 Rough Country, in your opinion, could have used to
23 eliminate the, quote/unquote, hazardous condition as
24 you've opined in this case? Outside of the SEAS
25 device, what else is an alternative design?